

ENCROACHMENT PERMIT

(4530 Van Buren Boulevard)

Pursuant to Resolution No. 11065, the CITY OF RIVERSIDE, a municipal corporation, hereinafter referred to as "City", hereby grants permission to FRED J. TEUNISSEN, DENA TEUNISSEN, WILLIAM JOHN TEUNISSEN, and GALE A. TEUNISSEN, their heirs, successors and assigns, hereinafter referred to as "Permittee", to use and occupy the following described property in accordance with the terms hereinafter set forth:

That portion of Van Buren Boulevard, a public right of way, adjacent to the easterly property line of Parcel 1 of Parcel Map 11602 recorded in Book 58 , Page 95&96 of Parcel Maps, Official Records of Riverside County and commonly known as 4350 Van Buren

DESCRIPTION APPROVAL  
By *George P. Hultquist*, 9/18/78 by *...*  
Surveyor

1. Permittee shall use and occupy the above-described property only in the manner and for the purposes as follows: Maintenance of the existing 33 feet x 80 feet wood frame building located at 4530 Van Buren Boulevard encroaching into the westerly right-of-way of said Van Buren Boulevard as shown on Exhibit A, attached hereto and incorporated herein by this reference.

2. Permittee, by acceptance of the benefits hereunder, acknowledges title to the above-described property to be vested in the City of Riverside and waives any right to contest the validity of the dedication or grant of said property.

3. Permittee acknowledges that the above-described property is the site of a proposed or planned public improvement and that, accordingly, all rights and privileges of use permitted hereunder shall cease and expire upon notice of revocation by the City. In the event the City revokes the permission herein granted, the City shall demolish and remove or cause to be demolished and removed at its own cost, the existing building encroaching into the

1 Van Buren Boulevard right-of-way as shown on Exhibit A, and the  
2 Permittee hereby grants to City, its officers, agents and  
3 employees the right of entry onto Permittee's adjoining private  
4 property to permit the demolition and removal of said structure;  
5 or, at the City's sole option, the Permittee, after obtaining  
6 three bids or such lesser number as may be agreed to by City,  
7 shall within the time prescribed by the City demolish and remove  
8 said structure, and the City shall reimburse Permittee for the  
9 actual cost thereof, not to exceed the amount of the lowest  
10 responsible bid therefor.

11 It is mutually agreed by the parties herein that the  
12 City's sole liability shall be for the actual cost of demolition  
13 and removal of the existing building, and for no other costs  
14 including the value of the building or relocation costs.

15 4. Notwithstanding anything to the contrary in paragraph  
16 3 above, if the Permittee is required to remove the existing  
17 building encroaching into the Van Buren Boulevard right-of-way  
18 in order to comply with any other requirements, laws or ordinances  
19 not connected with the widening of Van Buren Boulevard, this  
20 permit shall cease and expire, and Permittee, within the time  
21 prescribed by the City and at their sole cost, shall remove all  
22 improvements or obstructions placed, constructed or maintained  
23 on the above-described property by the Permittee. If the Per-  
24 mittee fails to abide by the removal order of the City within the  
25 time prescribed, the City shall have the right to remove and  
26 destroy the improvements without reimbursement to the Permittee  
27 and the cost of such removal shall be paid by the Permittee to the  
28 City and shall constitute a debt owed to the City. In the event  
29 Permittee fails to comply with the removal order, Permittee hereby  
30 grants to City, its officers, agents and employees the right of  
31 entry onto Permittee's adjoining private property to permit the  
32 demolition and removal of said structure.

1           5. In the event the existing building encroaching  
2 into the Van Buren Boulevard right-of-way is substantially  
3 destroyed by fire or other casualty, this permit shall cease  
4 and expire, and Permittee shall be required to clear said right-  
5 of-way in accordance with the provisions of paragraph 4 above.

6           6. Except as otherwise specifically provided herein,  
7 Permittee, by acceptance hereof, waives any right of claim,  
8 loss, damage or action against the City arising out of or result-  
9 ing from revocation, termination, removal of the improvements or  
10 any action to the City, its officers, agents or employees taken  
11 in accordance with the terms hereof.

12           7. Findings and determinations by the City Council of  
13 the City of Riverside that the Permittee, or their heirs,  
14 successors or assigns are in default of the terms hereof shall  
15 be cause for revocation of this permit in accordance with the  
16 provisions of Paragraph 4 above.

17           8. Permittee hereby agrees to hold the City harmless  
18 from and against all claims, demands, costs, losses, damages,  
19 injuries, action for damage and/or injuries, and liability  
20 caused by or arising out of or in connection with the permission  
21 granted herein, the existence of the encroachment or maintenance  
22 or other actions done by Permittee or their agents, employees or  
23 contractors within the above-described property.

24 Dated: February 13, 1979

CITY OF RIVERSIDE, a  
municipal corporation

25  
26 By Anden R. Anderson  
Mayor

27 Attest Alice A. Hase Pro Tempore  
28 City Clerk

29           Permittee acknowledges that they have read the foregoing  
30 and hereby accept all terms and conditions thereof.

31 Dated: January 25, 1979

PERMITTEE:

32 APPROVED AS TO FORM:

Fred J. Teunissen  
FRED J. TEUNISSEN

Dena Teunissen  
DENA TEUNISSEN

William J. Teunissen  
WILLIAM JOHN TEUNISSEN

Gale A. Teunissen  
GALE A. TEUNISSEN

CITY ATTORNEY  
RIVERSIDE  
CALIFORNIA

John M. Wood  
City Attorney